

REMARKS

Prior to entry of this Amendment, claims 1-30 are pending. By the Amendment herewith, claims 14-15, 17-18 are canceled without prejudice. Claims 1, 11-13, 16, 19 and 24-28 are amended to improve upon the wording. It is noted that these clarifications are not made for reasons related to patentability, and the full range of equivalents for all elements of all claims should remain in tact. New apparatus claims 31-39 also are added by this Amendment as supported by, for example, pages 1-3 of the specification and by the original claims. Lastly, the specification is amended to add section headings. No new matter is introduced into the application.

Accordingly, upon entry of this Amendment, claims 1-13, 16 and 19-39 are pending. Of those claims, claims 1, 10, 19, 24 and 29-31 are independent.

In the outstanding Office Action, claims 1-6, 10-15, 19-20, 22, 24, 25, 27, 29 and 30 are rejected under 35 USC Section 102(a) as being anticipated by Kim et al. (US 2003/0032389, hereinafter "Kim"). Claims 7-8, 16-17, 23 and 28 are rejected under 35 USC Section 103(a) as being unpatentable over Kim in view of Stille (WO 02/13488, hereinafter "Stille"). Claims 8 and 18 are rejected under 35 USC Section 103(a) as being unpatentable over Kim in view of Rebhan et al. (WO 99/33076, hereinafter "Rebhan"). Claims 21 and 26 are rejected under 35 USC Section 103(a) as being unpatentable over Kim in view of Wang (US 2004/0203630, hereinafter "Wang").

Thus, the Examiner contends that the primary reference, Kim, anticipates Applicant's independent claims 1, 10, 19, 24 and 29. The Examiner further contends that Applicant's remaining dependent claims are rendered obvious by a combination of Kim and one of the above-noted secondary references.

The foregoing rejections are respectfully disagreed with, and are traversed below.

It is respectfully asserted that Kim, whether viewed alone or in combination with the cited secondary references, does not disclose or suggest Applicant's claims for at least the following reasons.

For the Examiner's convenience, Applicant's independent claims are as follows (emphasis added):

1. A method comprising: accessing a **service portal** via a bi-directional network;
 selecting an item on a service menu included in the service portal and corresponding to a broadcast service;
 receiving channel parameter data relating to the corresponding broadcast service **from the service portal**;
 using the received channel parameter data to open a communications channel; and
 receiving broadcast data for the broadcast service through the communications channel, wherein the method is a method of operating a mobile terminal.
10. A mobile terminal comprising:
 means for **accessing a service portal** via a bi-directional network;
 means for allowing **selection of an item on a service menu included in the portal** and corresponding to a broadcast service;
 means for **receiving from the portal** channel parameter data relating to the broadcast service;
 means for opening a communications channel using the channel parameter data; and
 means for receiving broadcast data for the broadcast service through the communications channel.
19. A method comprising:
 storing data relating to channel parameters of one or more broadcast services;
 providing one or more selectable items on a service menu, each item relating to a broadcast service; and
 in response to the selection of an item from a remote terminal, sending channel parameter data relating to the corresponding broadcast service to the remote terminal, wherein the method is a **method of operating a service portal**.
24. An apparatus, the apparatus being configured:

to store data relating to channel parameters of one or more broadcast services;
to provide one or more selectable items on a service menu, each item relating to a broadcast service; and
to be **responsive to the selection of an item** by a remote terminal to send channel parameter data relating to the corresponding broadcast service to the remote terminal, wherein the **apparatus is a service portal**.

29. A system comprising a service portal accessible via a bi-directional network by a mobile terminal,

the service portal being arranged to provide a service menu comprising one or more items each corresponding to a broadcast service;

the mobile terminal being arranged for allowing selection of one of the items;

the service portal being responsive to an item selection to send to the mobile terminal channel parameter information relating to the corresponding broadcast service;

the mobile terminal being arranged to use the channel parameter information to open a communications channel, and to receive broadcast data for the broadcast service through the communications channel.

30. A method of operating a system comprising a **service portal** and a mobile terminal, the method comprising:

accessing the service portal from the mobile terminal via a bi-directional network;

providing a service menu comprising one or more items each corresponding to a broadcast service;

using the mobile terminal to **select one of the items**;

sending from the service portal to the mobile terminal channel parameter information relating to the broadcast service;

at the mobile terminal, using the received channel parameter information to open a communications channel; and

at the mobile terminal, receiving broadcast data for the broadcast service through the communications channel.

31. An apparatus configured:

to access a service portal via a bi-directional network;

to allow selection of an item on a service menu included in the portal and corresponding to a broadcast service;

to receive from the portal channel parameter data relating to the broadcast service;
to open a communications channel using the channel parameter data; and
to receive broadcast data for the broadcast service through the communications channel;
wherein the apparatus is a mobile terminal.

The primary reference, Kim, discloses an apparatus for providing broadcasting service in a mobile communication system. Kim particularly discloses sending television signals in a converted format suitable for transmission over the existing cellular telephone network, but broadcast from the network base stations (BSs) and for rendering by mobile stations (MSs).

It is not clear to Applicant what feature of Kim is considered by the Examiner as constituting the “service portal” of Applicant’s independent claims. At page 2 of the outstanding Action, the Examiner appears to consider this feature to be met by Kim’s TV Broadcasting System 201 (Figure 2).

Based on this assumption and addressing Applicant’s independent system claim 29 first, it is respectfully asserted that the service portal cannot be considered to be responsive to an item selection as claimed in Applicant’s independent claim 29 because, for example, the TV Broadcasting System 201 of Kim is not disclosed as responsive to any such selection by an MS to send to the mobile terminal channel parameter information relating to the corresponding broadcast service. On the contrary, Kim broadcasts the channel parameter information without any selection being required prior to the broadcast.

The features of Applicant’s independent claim 29 can provide advantages. First, the sending by the MS of broadcast service requests can allow the monitoring of service usage (by mobile stations) by analysis of requests received at the service portal. Second, as the MS knows when it will receive broadcast channel parameter data, and only needs to receive it once (after the request), the receiver does not need to monitor broadcasts for transmissions of broadcast channel parameter data. As such, Applicant’s claimed features can allow a reduction in receiver utilization, and

thus power consumption, at a mobile terminal. Third, according to the features of claim 29, the broadcast channel parameter data may be supplied on a request and reply basis, and the mobile terminal may receive the channel transmission data relatively quickly, compared to waiting for the next transmission of channel transmission data, as would be required by Kim.

Accordingly, for at least the above reasons, Kim does not disclose or suggest Applicant's independent claim 29.

For completion, it is noted that if the Examiner considers Applicant's "service portal" feature to be met by the system information and system connection information in the MS of Kim (this information is received in overhead messages; see paragraph 55, line 8), Applicant further traverses the rejection and notes the following. Claim 29 requires that the service portal be accessible via a bi-directional network, so it is thus a requirement of claim 29 that the service portal is remote from the terminal.

Based on this assumption, the system information and system connection information of Kim does not satisfy the remoteness requirement because this information is located within the mobile station. Stating this another way, receiving data from the BS does not constitute "accessing a service portal" in the sense in which the person of ordinary skill in the art would interpret the claim language. Also, the service portal in this case would not "send to the mobile terminal ...", as claimed in claim 29. >

Such distinguishing features of claim 29 (e.g., the remoteness of the service portal from the terminal) also provide advantages. First, permitting the MS to send broadcast service requests can allow the monitoring of service usage (by mobile stations) by analysis of requests received at the service portal. Second, as the MS knows when it will receive broadcast channel parameter data, and only needs to receive it once (after the request), the receiver does not need to monitor for transmissions of broadcast channel parameter data. As such, the claim features can allow a reduction in receiver utilization, and thus power consumption, at a mobile terminal.

Paragraph 58 of Kim discloses that it “can be further contemplated as another embodiment that the BS provides the spreading code to the MS at initial system acquisition or call set-up.” However, as there is no “call” when receiving broadcast (see paragraph 33 of Kim, for example), this cannot refer to the MS receiving a broadcast. Instead, it seems that this may refer to a voice call set-up. At voice call set-up the MS has not specified a broadcast, and it thus necessarily follows that Kim would need to send all potentially relevant spreading codes (not just the code for a channel of interest to the terminal) at call set-up. As such, Kim does not disclose that the BS provides the spreading code after selection of an item by the mobile terminal.

In view of the foregoing, it is respectfully asserted that Kim does not disclose or suggest all of the features of Applicant’s independent system claim 29. Nor is there any reason to modify the teachings of this reference in an attempt to arrive at the claimed features.

Regarding Applicant’s remaining independent claims, claim 30 is a corresponding method claim and is believed to be patentable over Kim also for reasons corresponding to those set forth above with respect to claim 29 and the “service portal” feature.

Applicant’s independent claims 1, 10 and 31 relate to the receipt of a broadcast service by a mobile terminal via a “service portal.” Independent claims 19 and 24 relate to the operation of a “service portal” to support the receipt of a broadcast service at a remote terminal. As such, the features of claims 1, 10, 19, 24 and 31 can allow implementation of the system set forth in claim 29. Therefore, for reasons set forth above in connection with Applicant’s independent system claim 29, particularly with respect to Applicant’s claimed “service portal” feature, it is respectfully asserted that independent claims 1, 10, 19 and 24 also are patentable over Kim.

It is further respectfully asserted that the addition of the secondary references, which were cited by the Examiner regarding Applicant’s dependent claims, do not cure the

shortcomings of Kim. In particular, Stille relates to a method and apparatus for providing streaming data to a mobile terminal. A WAP client within the mobile terminal enables selection of a streaming object from a database located within a network. An identifier is provided to the WAP client responsive to the selected streaming object. In response to the provided identifier, a wireless connection is established from the mobile terminal to a server associated with the transmission of streaming data from the database (Page 2 of Stille).

Rebhan relates to a method of transferring information and discloses at page 18 that broadcasting is by means of a transport stream that is transmitted at a predetermined carrier frequency from one or more transmitters. Rebhan further discloses at page 18 that a transport stream is a multiplex of information comprising, for example, elementary streams for one or more programs, data, service information, conditional access control, and synchronization information. An elementary stream can, for example, be sound (audio), video, teletex, and data, where, for example, a television broadcast (a program) comprises several elementary streams.

Wang relates to a method and apparatus for targeting service delivery to mobile devices. The apparatus and method provide personalized information from a service provider to a plurality of users using mobile terminal, and at least one content service stores content in at least one content database (Abstract).

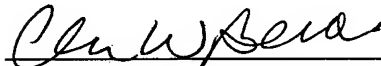
It is respectfully asserted that even if the disclosures of the above secondary references were combined with the teachings of Kim, Applicant's claimed subject matter set forth in the above independent claims would not be disclosed or suggested as, for example, neither Stille, Rebhan or Wang disclose or suggest Applicant's claimed system and method including the afore-described claimed features regarding Applicant's "service portal." Nor is there any reason to combine and modify the cited references in an attempt to arrive at the subject claims. As all of Applicant's independent claims are believed to be patentable, the remaining

dependent claims also are believed to be patentable at least in view of their dependency from an allowable independent claim.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections and allow all pending claims in the application. A Notice of Allowance is therefore requested.

Should the Examiner have any questions, a call to the undersigned would be appreciated.

Respectfully submitted:

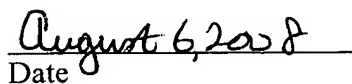


Christine Wilkes Beninati
Reg. No.: 37,967
Customer No.: 29683
HARRINGTON & SMITH, PC
4 Research Drive
Shelton, CT 06484-6212
Telephone: (203) 925-9400
Facsimile: (203) 944-0245


Date

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Date
Name of Person Making Deposit